



**CYNTHIA A. HARDING, M.P.H.**  
Interim Director

**JEFFREY D. GUNZENHAUSER, M.D., M.P.H.**  
Interim Health Officer

313 North Figueroa Street, Room 708  
Los Angeles, California 90012  
TEL (213) 240-8156 • FAX (213) 481-2739

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)

**BOARD OF SUPERVISORS**

**Hilda L. Solis**  
First District

**Mark Ridley-Thomas**  
Second District

**Sheila Kuehl**  
Third District

**Don Knabe**  
Fourth District

**Michael D. Antonovich**  
Fifth District

January 29, 2016

TO: Each Supervisor

FROM: Cynthia A. Harding, M.P.H.  
Interim Director

A handwritten signature in black ink that reads "Cynthia A. Harding".

SUBJECT: **FOOD FACILITY GRADING SYSTEM (ITEM NO. 64-A, AGENDA OF JUNE 9, 2015 AND ITEM 59-A, AGENDA OF SEPTEMBER 1, 2015)**

In a motion by Supervisor Antonovich on June 9, 2015, the Department of Public Health (DPH) was directed to (1) conduct a thorough review of the retail food facility grading system in Los Angeles County, including an assessment of current grading factors, methodology, and a review of grading systems used in other jurisdictions and (2) provide a report of its findings and recommendations to the Board within 30 days. Reports were provided to the Board on July 8, 2015 and on August 18, 2015. In a subsequent motion by Supervisor Antonovich on September 1, 2015, DPH was instructed to provide monthly progress reports to the Board on the restaurant grading recommendation implementation activities. This January 2016 report is the fourth progress report in response to the motion.

The Implementation Plan for Restaurant Grading Recommendations, which was developed to report on the progress or status of each recommendation, was updated for this report (Attachment A). To date, some of the recommendations have already been completed. The recommendations are on track for completion by the established target date, with the exception of Recommendation A3. The target date for completion of Recommendation A3, determining what additional information should be included on the grade card, was adjusted to allow necessary time for further discussion and a cost analysis related to grade card changes.

Since last month's update, DPH staff met with California Restaurant Association (CRA) members to discuss the recommendations, review the final results of the public grade card survey, and address any industry questions and concerns. At the meeting, some CRA members raised concerns with certain survey results and with particular recommendations, prompting DPH to further review the proposed changes to the grade card and the proposed policy changes. Since the CRA meeting did not result in clear support for the implementation of each of the recommendations, DPH is scheduling another meeting with industry representatives to discuss them further. DPH will also continue discussions with the EH Directors of surrounding counties and cities regarding these recommendations.

Our next report will be submitted in February 2016. In the meantime, if you have any questions or need additional information, please let me know.

CAH:dc  
PH:1508:006

Attachment

c: Chief Executive Officer  
County Counsel  
Acting Executive Officer, Board of Supervisors

Implementation Plan for Restaurant Grading Recommendations - Status Report of 01-29-16

A: AVAILABILITY OF PUBLIC INFORMATION	Target Date	STATUS
<p><b>RECOMMENDATION A1:</b> Environmental Health (EH) should ensure that all restaurant closures, whether resulting from routine inspections or public complaints, are made publicly available on the EH website.</p>	Completed	As of 10/21/15, all restaurant closures, including those as a result of a complaint, are now posted on the EH website.
<p><b>RECOMMENDATION A2:</b> EH believes that when a comprehensive foodborne illness investigation is conducted and it is determined that the outbreak is "associated" with the restaurant, this information should be disclosed as well. Additionally, EH will confer with County Counsel, Acute Communicable Disease Control, and Community Health Services to consider appropriate criteria for public disclosure of foodborne illnesses which are potentially associated with a particular restaurant.</p>	4/1/2016	In progress. Discussions still continue on this with the Environmental Health Directors of surrounding California counties and cities. Meetings are pending.
<p><b>RECOMMENDATION A3:</b> EH will seek input from the public to determine what additional information should be included on the grade card. The public will be given the opportunity to provide input through an online survey and suggestion boxes at local district offices.</p>	3/15/16	In progress. The results of the grading survey were discussed with the California Restaurant Association (CRA) at a meeting on January 13, 2016. CRA members expressed concerns about survey results. DPH will require further review of the changes to the grade card. In the meantime, DPH will prepare a cost analysis as certain proposed changes to the grade card will require a new grade card posted after each inspection, increasing costs. The target date was adjusted to allow necessary time for further discussion and a cost analysis related to grade card changes.
B: METHODS OF SCORING AND GRADING	Target Date	STATUS
<p><b>RECOMMENDATION B1:</b> Because the County of Los Angeles grading system is well-recognized and valued by the public, DPH recommends continuing with the A,B,C grading, but working to improve the rating method on which the grades are based.</p>	Completed	DPH will keep the current A, B, C grading system and will make improvements as referenced under Recommendations A3 and B2.
<p><b>RECOMMENDATION B2:</b> EH proposes changes to the point value deductions in the inspection report to preclude the issuance of an "A" grade if, upon inspection, the facility is ordered closed or is found to have two major violations.</p>	4/1/2016	<p>In progress. A meeting was held on January 13, 2016, with an expanded group of CRA members to discuss recommendations and to address industry questions. At this meeting, CRA members expressed concerns about not allowing a facility with 2 major violations to receive an "A" grade. However, a few members felt that a facility that was closed should not open with an "A" grade. The Food Safety Advisory Council (FSAC) ad hoc committee also voiced similar concerns with this recommendation. Since industry meetings did not result in clear support for the implementation of this recommendation, DPH will schedule another meeting with to discuss these issues further.</p> <p>At a meeting with EH Directors of surrounding counties on held on January 14, 2016, it was generally agreed that if a facility had 2 major violations, it should not receive an "A" grade. DPH will also continue discussions with the EH Directors of surrounding counties and cities regarding this recommendation.</p>

ATTACHMENT A

C. OPTIMIZE INSPECTIONS THROUGH GREATER USE OF DATA	Target Date	STATUS
<p>RECOMMENDATION C1: EH should conduct trend analyses of EC inspection data to develop informational material on food handling practices and behaviors targeting restaurant operators.</p>	<p>3/1/2016</p>	<p>In progress. DPH did not receive specific input from industry representatives on this recommendation. DPH will pursue the development of food safety materials to target the specific needs of individual food businesses and develop a pilot program for the informational materials, using an analysis of the inspection data of a major retail restaurant chain with multiple locations in Los Angeles County. The results and improvement areas will be discussed with the company decision makers during the pilot. After DPH intervention, the inspection data will be analyzed to determine the effectiveness of the informational materials.</p>
D. CHANGES IN POLICY AND PROCEDURE	Target Date	STATUS
<p>RECOMMENDATION D1: EH should revise policy and procedures to strengthen the effective use of permit revocations so that businesses with chronic unsafe practices are precluded from operating without remediating these conditions.</p>	<p>4/1/2016</p>	<p>In progress. A meeting was held on January 13, 2016 with an expanded group of CRA members to discuss recommendations and to address industry questions. No specific input was received from the CRA or the FSAC ad hoc committee on this internal policy change. This policy was revised to better clarify circumstances where a Public Health Operating Permit should be revoked. The policy is currently in the internal review process.</p>
<p>RECOMMENDATION D2: EH should assess whether other conditions warrant a minimum time period for closure.</p>	<p>Completed</p>	<p>After internal discussions, it was determined that the existing closure policy is consistent with State law in protecting public health. As such, we do not recommend changing the closure policy.</p>
<p>RECOMMENDATION D3: EH proposes to change its internal policy to allow a graded inspection to occur at any time under specified conditions.</p>	<p>4/1/2016</p>	<p>In progress. A meeting was held on January 13, 2016 with an expanded group of CRA members to discuss recommendations and to address industry questions. No specific input was received from CRA or the FSAC ad hoc committee on this internal policy change. The language of this policy was revised to allow a graded inspection to occur at any time. The requirement for 60 days in between graded inspections was removed. The policy is currently in the internal review process.</p>
<p>RECOMMENDATION D4: EH should review the owner initiated inspection (OI) process and determine what modifications should be implemented to prevent restaurant operators who have chronic unsafe food practices from using the process to improve their grade. An analysis of EC inspection data related to OI's will assist in determining the factors EH should target for modification.</p>	<p>3/1/2016</p>	<p>In progress. A meeting was held on January 13, 2016 with an expanded group of CRA members to discuss recommendations and to address industry questions. Industry members expressed concern that altering the current allowance of one OI per year would be punitive. Since industry meetings did not result in clear support for the implementation of this recommendation, DPH will schedule another meeting with industry to discuss further.</p> <p>At a meeting held with EH Directors of surrounding counties on January 14, 2016, this recommendation was discussed. Counties have different "OI" concepts. DPH will also continue discussions with the EH Directors of surrounding counties and cities regarding this recommendation.</p>